

## NINETEENTH DAY

(Wednesday, February 10, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. Fred E. Knetsch of Guadalupe County.

The roll of the House was called, and the following Members were present:

Adkins	Howard
Alexander	Huddleston
Alsup	Hull
Amos	Hyder
Baker	Jackson
Bates	James
Beckworth	Johnson of Ellis
Bell	Johnson
Blankenship	of Tarrant
Boethel	Jones of Angelina
Bond	Jones of Atascosa
Bradbury	Jones of Falls
Bradford	Jones of Wise
Bridgers	Keefe
Burton	Keith
Callan	Kelt
Carssow	Kenyon
Cathey	Kern
Cauthorn	King
Celaya	Knetsch
Cleveland	Langdon
Colquitt	Lankford
Davis of Jasper	Lanning
Davison of Fisher	Leath
Davisson	Leonard
of Eastland	Little
Dean	Loggins
Deglandon	London
Derden	Lucas
Dickison	Mann
Dollins	Mauritz
England	Mays
Farmer	McConnell
Felty	McCracken
Fielden	McDonald
Fox	McFarland
Fuchs	McKee
Gibson	McKinney
Graves	Metcalfe
Hamilton	Moffett
Hankamer	Monkhouse
Hanna	Morris
Harbin	Morse
Hardin	Newton
Harris of Archer	Nicholson
Harris of Dallas	Oliver
Harris of Dickens	Palmer
Hartzog	Patterson of Mills
Heflin	Patterson
Herzik	of Travis
Holland	Petsch
Hoskins	Pope

Powell	Skaggs
Prescott	Smith of Hopkins
Quinn	Smith
Ragsdale	of Matagorda
Reader	Stevenson
Reed of Bowie	Stinson
Reed of Dallas	Stocks
Rhodes	Talbert
Riddle	Tarwater
Roark	Tennant
Ross	Tennyson
Russell	Thornberry
Rutta	Vale
Schuenemann	Waggoner
Settle	Walker
Sewell	Weldon
Sharpe	Westbrook
Shell	Winfree
Simpson	Wood

## Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

## COMMUNICATION FROM HONORABLE R. W. CALVERT

The Chair laid before the House, and had read the following communication:

Austin, Texas, February 8, 1937.

Mrs. Louise Snow Phinney, Chief Clerk, House of Representatives.

Austin, Texas

Dear Mrs. Phinney:

During my absence from Austin Wednesday, February 10, I designate Honorable Fred E. Knetsch to preside over the House of Representatives.

Yours very truly,

R. W. CALVERT.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Brown for today, on motion of Mr. McKee.

Mr. Thornton for today, on motion of Mr. Jones of Wise.

Mr. Worley for today, on motion of Mr. Metcalfe.

The following Members were granted leaves of absence on account

of important committee work in regard to Texas-Oklahoma Boundary Line:

Mr. Boyer for today, on motion of Mr. Harris of Dallas.

Mr. Broadfoot for today, on motion of Mr. Carssow.

Mr. Smith of Tarrant for today, on motion of Mr. Lucas.

The following Members were granted leaves of absence on account of illness:

Mr. Davis of Haskell for today, on motion of Mr. Newton.

Mr. Cagle for today, on motion of Mr. Derden.

Mr. Harrell for today, on motion of Mr. Smith of Hopkins.

Mr. Harper for today, on motion of Mr. Boethel.

Mr. Leyendecker and Mr. Vale for today, on motion of Mr. Celaya.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Petsch:

H. B. No. 485, A bill to be entitled "An Act amending Sections 1, 4, 5, 6, 7, 9, and 18 of House Bill No. 755, Chapter 241, General Laws of the Forty-fourth Legislature, Regular Session; providing that the Comptroller is authorized to promulgate certain rules and regulations to regulate the sale of cigarettes for movement into states adjoining Texas when such cigarettes have the tax stamps of such adjoining state affixed; requiring salesmen in the employ of manufacturers to keep certain records and deliver invoices; requiring persons soliciting and receiving orders for cigarettes for shipment to points within this State to keep certain records for a limited time; adding a new section to be known as Section 10a; providing that before a restraining order shall be granted to restrain or enjoin the collection of the cigarette tax the applicant therefor shall pay into the suspense account of the Treasurer all taxes, fees and penalties due; . . . etc., and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Smith of Matagorda (by request):

H. B. No. 486, A bill to be entitled "An Act amending Chapter Thirteen of the Acts of the Forty-second Legislature of Texas, Third Called Session, as amended by the Acts of the Forty-third Legislature of Texas, Regular Session, by adding thereto Section 8a, providing that the provisions thereof shall apply to navigation districts to the extent that the proceeds of the sale of bonds of such navigation districts may have been actually expended in the construction of bridges on designated State highways, and providing that such proceeds of such bonds of said districts so expended shall be redeemable in the manner as is provided by said Chapter Thirteen, as amended, for the redemption of county and road district bonds, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Jones of Wise:

H. B. No. 487, A bill to be entitled "An Act validating an order of county school board, transferring land out of Common School District No. 113, to Independent School District No. 6, in Wise County, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Howard:

H. B. No. 488, A bill to be entitled "An Act to amend Article 881a-37, Revised Civil Statutes, 1935 Supplement, as amended by Acts, 1935, Forty-fourth Legislature, page 159, Chapter 68, Section 2, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 489, A bill to be entitled "An Act to amend Article 392, Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 21, Chapter 6, Section 1, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 490, A bill to be entitled "An Act to make mortgages insured and debentures issued by the Federal Housing Administrator eligible for

deposit purposes, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 491, A bill to be entitled "An Act to amend Article 4766, Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 24, Chapter 8, Section 1, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 492, A bill to be entitled "An Act amending Article 5006 of the Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 22, Chapter 7, Section 1, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 493, A bill to be entitled "An Act to amend Article 416, Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 26, Chapter 9, Section 1, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 494, A bill to be entitled "An Act to amend Article 4993, Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 31, Chapter 11, Section 1, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 495, A bill to be entitled "An Act to amend Article 4941, Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 20, Chapter 5, Section 1, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 496, A bill to be entitled "An Act to amend Article 842a, Revised Civil Statutes, 1935 Supplement, as amended by Acts, 1935, Forty-fourth Legislature, pages 33 and 90, Chapters 12 and 31, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Howard:

H. B. No. 497, A bill to be entitled "An Act to amend Article 4725 of the Revised Civil Statutes of 1925, as amended by Acts, 1935, Forty-fourth Legislature, page 28, Chapter 10, Section 1, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hartzog:

H. B. No. 498, A bill to be entitled "An Act amending Chapter 6, Article 6954A of the Revised Civil Statutes of Texas by including Victoria County, and declaring an emergency."

Referred to the Committee on Livestock and Stock Raising.

By Mr. Nicholson:

H. B. No. 499, A bill to be entitled "An Act amending Article I, Chapter 467, Section 24 of the Acts of the Forty-fourth Legislature, 1935, Second Called Session, so as to extend the provisions thereof to authorize cities to prohibit by their charters, the sale of liquors and beer in their residence sections, or any other part thereof and that same shall be valid and remain in force and effect until such time as the charter provisions may be repealed or amended; and by adding thereto a section to be known as Section 24b; providing a penalty against all persons who shall sell liquors or beer in districts in cities in which the same has been prohibited; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Palmer:

H. B. No. 500, A bill to be entitled "An Act providing that any person or association of persons shall have the right to sell farm products or produce raised upon property controlled by any person or association of persons from house to house in any city in this State (Texas); fixing a penalty, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Petsch, Mr. Hankamer and Mr. Graves:

H. B. No. 501, A bill to be entitled "An Act to amend Article 3810, Revised Civil Statutes as enacted by the Legislature in the Revision of 1925."

Referred to the Committee on Judiciary.

By Mr. Worley and Mr. Davisson of Eastland:

H. B. No. 502, A bill to be entitled "An Act relating to the payment of the prevailing rate of wages on public works; defining certain terms as used in this Act; providing the general rate of wages shall be paid; providing for pre-determination of the prevailing rate of wages; requiring a public body to pay the prevailing rate of wages on any public works constructed, repaired or improved by its own forces; providing that contractors shall be required to pay the stipulated wage schedule; requiring records to be kept; providing a penalty; repealing Chapter 45 of the Acts of the Forty-third Legislature, and declaring an emergency."

Referred to the Committee on Labor.

By Mr. Graves:

H. B. No. 503, A bill to be entitled "An Act repealing Section 6, Article 923qa-4 of the Penal Code of Texas so as to exempt Williamson County from a closed season of ten years in the taking of wild beaver, wild otter or wild fox or the pelts thereof, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Kenyon (by request):

H. B. No. 504, A bill to be entitled "An Act to limit the provisions of Article 63 of the Revised Penal Code of 1925, so that the third conviction of a felony less than capital will not authorize life imprisonment unless the two former convictions were for offenses of the grade of felony at the time of the commission of the third offense."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Kenyon (by request):

H. B. No. 505, A bill to be entitled "An Act amending Article 1304a of the Revised Civil Statutes of the State of Texas, 1925, relating to the use of certain names in corporations incorporated by veterans and excluding from its provisions certain corporations at the time of the effective date of the Act, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Hoskins:

H. B. No. 506, A bill to be entitled "An Act making it unlawful to take or catch in any manner from any of the public waters, rivers, creeks or lakes in Gonzales County, any bass, crappie, perch, calico bass, bream, or catfish of any variety, or to have in his possession or retain in any way any bass, crappie, perch, calico bass, bream, or catfish of any variety caught or taken from such waters during certain months; and fixing a penalty for violation of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Tennyson, Mr. McFarland and Mr. Walker:

H. B. No. 507, A bill to be entitled "An Act to validate the organization and creation of all Junior College Districts created in any manner under the provisions of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290 and/or under any amendment thereof; validating all proceedings and acts of the board of trustees of all independent school districts heretofore taken by such boards of trustees in creating or undertaking to create Junior College Districts; validating all proceedings and acts of boards of trustees, boards of education, or other governing bodies of Junior College Districts heretofore taken; validating all bonds, voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said college districts; making certain exceptions, and declaring an emergency."

Referred to the Committee on Education.

By Mr. King:

H. B. No. 508, A bill to be entitled "An Act amending Title 13, Chapter 1, of Article 827a of the Revised Penal Code of the State of Texas, the same being Acts of 1929, Forty-first Legislature, Second Called Session, page 72, Chapter 42, as amended by Acts, 1931, Forty-second Legislature, page 270, Chapter 164 as amended by Acts, 1931, Forty-second Legislature, page 507, Chapter 282, as amended by Acts, 1933, Forty-third Legislature, page 45, Chapter 20, as amended by Acts, 1933, Forty-fourth Legislature, page 757,

Chapter 328, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. London:

H. B. No. 509, A bill to be entitled "An Act to declare a closed season on the killing of quail in Montague County, Texas, for a period ending January 16, 1939; prescribing a penalty for the violation of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Hardin:

H. B. No. 510, A bill to be entitled "An Act amending Article 4629, Revised Civil Statutes of Texas, 1925, providing that a divorce may be granted in case either of the spouses has been an inmate of one of the State Hospitals for the Insane for a period of five years upon the certificate of the Superintendent of such hospital where such person is permanently insane and has no chance of recovery, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Metcalfe, Mr. Worley, Mr. Davisson of Eastland and Mr. Davison of Fisher:

H. B. No. 511, A bill to be entitled "An Act providing for the execution of an agreement to extend the Interstate Compact to conserve oil and gas; prescribing the form of the agreement; prescribing procedure for withdrawal from the compact, and declaring an emergency."

Referred to the Committee on Interstate Cooperation.

By Mr. Tennyson and Mr. Fuchs:

H. B. No. 512, A bill to be entitled "An Act amending Sections 4, 7, 9, 10, 11, 14 and 22 of the Acts of the Forty-first Legislature, 1929, page 648, Chapter 290, and adding Sections 7a and 7b thereto; the amendment of Section 4 providing that the Independent School District or city that has assumed control of its schools or where the same has been organized as a Junior College District has an independent entity which is governed, administered and controlled by and under the direction of the Board of Education of such district or city, and conferring upon said Board of Education of said Junior College District the

rights, powers, privileges and duties imposed upon trustees of Independent School Districts by the General Laws of the State of Texas in so far as they may be applicable and not inconsistent with this Act; . . . etc., and declaring an emergency."

Referred to the Committee on Education.

By Mr. Mann:

H. B. No. 513, A bill to be entitled "An Act appropriating the sum of Three Thousand (\$3,000.00) Dollars out of the General Revenue of the State, not otherwise appropriated, to aid the Aldine Independent School District in Harris County, Texas, in order to pay the expenses of maintaining the schools in said district for the scholastic year ending August 31, 1937, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Hoskins:

H. B. No. 514, A bill to be entitled "An Act providing for and regulating the manner that owners and/or operators of oil wells producing salt water or water containing minerals in an appreciable amount may return same to such salt water or mineral water horizon from which produced; providing for obtaining permits from the Railroad Commission, and declaring an emergency."

Referred to the Committee on Oil, Gas and Mining.

By Mr. Sharpe:

H. B. No. 515, A bill to be entitled "An Act to prohibit the killing, capturing or taking possession of any wild fox in Lamar County for a period of five years from and after the passage of this Act; prescribing a penalty for violation, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Nicholson:

H. B. No. 516, A bill to be entitled "An Act amending Paragraph 'F' of Section 13 of Article XI of Chapter 467, Acts of the Forty-fourth Legislature, Second Called Session, providing that no person engaged in the retail selling of beer as a principal business, which said beer may be consumed upon the premises of sale, shall offer for sale or sell such beer between certain hours; providing that no radio or

musical instrument of any sort shall be played after certain hours on premises where said beer is sold; providing for the classification according to its commercial units, of that business of a beer retailer of which the beer retailing business of said retailer is a part; . . . etc., and declaring an emergency."

Referred to the Committee on Liquor Traffic.

#### MOTIONS TO RECOMMIT HOUSE BILL NO. 48

Mr. Dean moved that House Bill No. 48 be recommitted to the Committee on Revenue and Taxation.

Mr. Reed of Bowie moved to table the motion to recommit.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

#### Yeas—59

Adkins	London
Amos	Lucas
Bates	Mann
Beckworth	Mays
Boethel	McConnell
Bradbury	McDonald
Callan	Monkhouse
Cathey	Newton
Cleveland	Oliver
Davis of Jasper	Palmer
Derden	Powell
Dollins	Prescott
Farmer	Ragsdale
Fielden	Reader
Fox	Reed of Bowie
Hamilton	Rhodes
Hardin	Russell
Herzik	Rutta
Holland	Schuenemann
Huddleston	Sewell
James	Simpson
Johnson of Ellis	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Falls	Stocks
Kelt	Talbert
Kenyon	Vale
King	Weldon
Lankford	Westbrook
Lanning	Winfree
Loggins	

#### Nays—61

Alexander	Burton
Alsup	Carssow
Baker	Davison of Fisher
Bell	Davison
Blankenship	of Eastland
Bradford	Dean

Dickison	McKinney
Felty	Metcalfe
Gibson	Moffett
Graves	Morris
Hankamer	Morse
Hanna	Nicholson
Harris of Archer	Patterson of Mills
Harris of Dallas	Patterson
Harris of Dickens	of Travis
Heflin	Petsch
Hoskins	Pope
Howard	Quinn
Hyder	Reed of Dallas
Jackson	Settle
Johnson	Sharpe
of Tarrant	Smith
Jones of Wise	of Matagorda
Keith	Stevenson
Kern	Stinson
Langdon	Tarwater
Leath	Tennant
Leonard	Tennyson
Little	Thornberry
Mauritz	Waggoner
McCracken	Walker
McFarland	Wood
McKee	

#### Present—Not Voting

Roark	Knetsch
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#### Absent

Bond	Harbin
Bridgers	Hartzog
Cauthorn	Hull
Celaya	Jones of Atascosa
Colquitt	Keefe
Deglandon	Riddle
England	Ross
Fuchs	Shell

#### Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

Mr. Farmer moved, as a substitute motion, that House Bill No. 48 be recommitted to the Committee on State Affairs.

Mr. Reed of Bowie moved to table the motion by Mr. Farmer.

The motion to table prevailed.

Question recurring on the motion to recommit House Bill No. 48 to the Committee on Revenue and Taxation, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—55

Alexander	Leonard
Alsup	Little
Baker	McCracken
Bates	McDonald
Blankenship	McFarland
Bradford	McKee
Burton	McKinney
Carssow	Metcalfe
Celaya	Moffett
Davisson	Morris
of Eastland	Morse
Dean	Nicholson
Felty	Patterson
Gibson	of Travis
Graves	Pope
Hankamer	Reed of Dallas
Hanna	Russell
Harris of Archer	Settle
Harris of Dallas	Smith
Harris of Dickens	of Matagorda
Hartzog	Stevenson
Hoskins	Stinson
Howard	Tarwater
Jackson	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Atascosa	Waggoner
Jones of Wise	Walker
Keith	Wood
Langdon	

Nays—71

Adkins	James
Amos	Johnson of Ellis
Beckworth	Jones of Angelina
Bell	Jones of Falls
Boethel	Kelt
Bond	Kenyon
Bradbury	Kern
Bridgers	King
Callan	Lankford
Cathey	Lanning
Cleveland	Leath
Davis of Jasper	Loggins
Davison of Fisher	London
Deglandon	Lucas
Derden	Mann
Dickson	Mauritz
Dollins	Mays
Farmer	McConnell
Fielden	Monkhouse
Fox	Newton
Hamilton	Oliver
Harbin	Palmer
Hardin	Patterson of Mills
Heflin	Prescott
Herzik	Quinn
Holland	Reader
Huddleston	Reed of Bowie
Hull	Rhodes
Hyder	Ross

Rutta	Stocks
Schuenemann	Talbert
Sewell	Vale
Shell	Weldon
Simpson	Westbrook
Skaggs	Winfree
Smith of Hopkins	

Present—Not Voting

Knetsch	Roark
Petsch	

Absent

Cauthorn	Powell
Colquitt	Ragsdale
England	Riddle
Fuchs	Sharpe
Keefe	

Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

Mr. Lucas moved to reconsider the vote by which the motion to recommit House Bill No. 48 was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Harris of Dickens moved that House Bill No. 48 be recommitted to the Committee on Oil, Gas and Mining.

Mr. Lucas moved to table the motion to recommit House Bill No. 48 to the Committee on Oil, Gas and Mining.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—72

Adkins	Hamilton
Amos	Harbin
Beckworth	Hardin
Bell	Heflin
Boethel	Herzik
Bradbury	Holland
Callan	Huddleston
Carssow	Hyder
Cathey	James
Cleveland	Johnson of Ellis
Davis of Jasper	Jones of Angelina
Davisson	Jones of Atascosa
of Eastland	Jones of Falls
Deglandon	Keefe
Dollins	Kelt
Farmer	Kern
Fielden	King
Fox	Langdon

Lankford	Rhodes
Leath	Riddle
Loggins	Ross
London	Russell
Lucas	Rutta
Mann	Schuenemann
Mauritz	Sewell
Mays	Shell
McConnell	Simpson
Monkhouse	Skaggs
Newton	Smith of Hopkins
Oliver	Stocks
Patterson of Mills	Talbert
Petsch	Tarwater
Powell	Waggoner
Prescott	Weldon
Quinn	Westbrook
Reader	Winfree
Reed of Bowie	

## Nays—47

Alexander	Lanning
Alsup	Leonard
Blankenship	Little
Bond	McDonald
Bradford	McFarland
Bridgers	McKee
Burton	McKinney
Celaya	Metcalf
Davison of Fisher	Moffett
Dean	Morris
Derden	Morse
Felty	Patterson
Gibson	of Travis
Hankamer	Reed of Dallas
Hanna	Roark
Harris of Archer	Settle
Harris of Dallas	Sharpe
Harris of Dickens	Smith
Hartzog	of Matagorda
Howard	Stevenson
Hull	Stinson
Jackson	Tennant
Johnson	Vale
of Tarrant	Walker
Jones of Wise	Wood

## Absent

Baker	Kenyon
Bates	Knetsch
Cauthorn	McCracken
Colquitt	Nicholson
Dickison	Palmer
England	Pope
Fuchs	Ragsdale
Graves	Tennyson
Hoskins	Thornberry
Keith	

## Absent—Excused

Boyer	Davis of Haskell
Broadfoot	Harper
Brown	Harrell
Cagle	Leyendecker

Smith of Tarrant    Worley  
Thornton

## OATH OF OFFICE ADMINISTERED

Hon. Penrose Metcalfe, having been recognized by the Chair, stated that Hon. Albert R. Cauthorn, Representative-elect of the Eighty-seventh Representative District, to succeed Honorable Stanford Payne, resigned, was present, and asked unanimous consent of the House that the Constitutional Oath of Office be now administered to him.

There was no objection offered, and it was so ordered.

The Chair appointed the following committee to escort Mr. Cauthorn to the Speaker's stand: Messrs. Metcalfe, Carssow and Rutta.

The committee having performed their duty, Mr. Cauthorn then took the Constitutional Oath of Office, which was administered by Hon. Fred E. Knetsch. Mr. Knetsch having been designated to preside during the Speaker's absence.

Hon. Fred E. Knetsch then introduced Mr. Cauthorn, who addressed the House.

TO GRANT PERMISSION TO SUE  
THE STATE

Mr. Keefe offered the following resolution:

H. C. R. No. 30, To grant Floyd Arnwine permission to sue the State.

Whereas, It is alleged that on or about the sixth day of December, 1934, Floyd Arnwine while in the employment of the Texas Relief Commission sustained and suffered serious and permanent bodily injuries while working on Project No. 37-B2-61 near Jacksonville in Cherokee County, Texas. Said injuries are alleged to have been received and sustained by the said Floyd Arnwine as a result of having been run over by a loaded truck driven by another employee working on the same project; and

Whereas, It is alleged that as a result of said accident sustained by the said Floyd Arnwine while in the line of duty as an employee of the Texas Relief Commission, the said Arnwine has sustained and suffered an injury to his limbs which has left him crippled and has reduced his capacity to earn a livelihood for himself and family, and it is further alleged that



the said Arnwine is permanently barred from doing hard manual labor by reason of such accident, and his ability to earn money as a laborer has been reduced; and

Whereas, It is alleged that the said Floyd Arnwine has never been compensated by the State of Texas for the damages resulting from said injuries; now, therefore, be it

Resolved by the House of Representatives and the Senate concurring, That the said Floyd Arnwine, his heirs, executors and administrators be, and they are hereby granted permission to bring suit against the State of Texas in any Court of competent jurisdiction in Cherokee County, Texas, in order to ascertain, fix and award the amount of money, if any, that the said Floyd Arnwine, his heirs, executors and administrators are entitled to receive from the State of Texas as compensation on account of such injuries and resulting damages, and that in case such suit be filed, service of citation or other necessary process shall be had upon the Attorney General of this State, or waived by him, and that the same shall have the same force and effect as made and provided in civil cases and that either one of the parties to said suit shall have the right to appeal.

The resolution was read second time, and was referred by the Chair, to the Committee on State Affairs.

#### RELATIVE TO CERTAIN NEWS-PAPER ARTICLE

Mr. Jones of Atascosa offered the following resolution:

Whereas, In this morning's papers under the date of February 10, 1937, appears an article by the Associated Press, as follows:

"Both Houses of the Texas Legislature oppose packing of the Supreme Court"; and

Whereas, Said head lines and the subsequent comments by the Associated Press reporter places the House of Representatives in an improper light and does not correctly state the position of the House on said matter; and

Whereas, The House of Representatives in tabling a resolution by Representative Lonnie Smith and others was due more to the fact that the House did not care to participate in the controversy regarding the President's action in recommending to the Na-

tional Congress certain additions to the personnel of the Supreme Court rather than to oppose said resolution; and

Whereas, The House of Representatives of the Texas Legislature should not be placed by published articles sent abroad throughout the country to the effect that they were opposing the President's plan, when no such opposition was properly or reasonably deducible from the action taken by the House on the Smith resolution; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That said body go on record as neither favoring nor opposing the President's position in the matter pertaining to the present recommendations to Congress by the President, and that it is the belief of said House of Representatives that the National Congress and the Members of the Texas delegation can properly settle as such representatives that controversy without suggestions from this body.

The resolution was read second time.

Mr. Leonard offered the following amendment to the resolution:

Amend the resolution by striking out all except the resolving clause and by amending the resolving clause as follows: By striking out the words "neither favoring nor" and by striking out all after the word "matter" and inserting in lieu thereof the following: "of attempting to change the personnel of the Supreme Court except by the orderly procedure of an amendment to our Federal Constitution."

Mr. McConnell raised a point of order, on further consideration of the amendment, on the ground that the amendment is not germane to the resolution.

The Chair overruled the point of order.

Mr. Leonard asked unanimous consent of the House to strike the following from the amendment, "except by the orderly procedure of an amendment to our Federal Constitution."

There was objection offered.

Mr. Stinson raised a point of order, on further consideration of the resolution, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair sustained the point of order.

## MESSAGE FROM THE SENATE

Austin, Texas, February 10, 1937.

Hon R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has, in compliance with the provisions of S. C. R. No. 23, appointed the following committee:

Senators Davis and Weinert.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Ragsdale, House Bill No. 468.

Mr. Harris of Archer, House Bill No. 472.

## HOUSE BILL NO. 10 ON PASSAGE TO ENGROSSMENT

The Chair laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 10, A bill to be entitled "An Act to fix the salaries of the judges of the various District Courts and of the Criminal District Courts of this State; repealing that portion of Section 1 of House Bill No. 417, Chapter 355, of the Acts of the Regular Session of the Forty-fourth Legislature which fixes the salaries of said judges, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Metcalfe, as substituted by amendment by Mr. Alsup, pending.

Mr. Metcalfe moved that further consideration of House Bill No. 10 be postponed until 11:00 o'clock a. m., February 24, 1937.

Mr. Howard moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—69

Adkins	Bradford
Alexander	Burton
Baker	Callan
Blankenship	Carssow
Bond	Celaya

Colquitt	Mays
Davisson	McCracken
of Eastland	McDonald
Deglandon	McFarland
Derden	McKee
Dickison	McKinney
Dollins	Moffett
England	Monkhouse
Fox	Morse
Gibson	Newton
Hankamer	Patterson
Harbin	of Travis
Harris of Dallas	Pope
Harris of Dickens	Reader
Heflin	Reed of Dallas
Holland	Riddle
Howard	Roark
Huddleston	Russell
Hull	Rutta
Hyder	Schuenemann
Jackson	Settle
James	Sharpe
Johnson of Ellis	Skaggs
Johnson	Smith of Hopkins
of Tarrant	Smith
Jones of Angelina	of Matagorda
Jones of Falls	Talbert
Kenyon	Thornberry
Leath	Waggoner
Leonard	Westbrook
Little	Winfree
Mann	

Nays—57

Alsup	Lankford
Amos	Lanning
Beckworth	Loggins
Bell	London
Boethel	Lucas
Bradbury	Mauritz
Bridgers	McConnell
Cathey	Metcalfe
Cleveland	Morris
Davis of Jasper	Nicholson
Davison of Fisher	Oliver
Farmer	Patterson of Mills
Felty	Petsch
Fielden	Powell
Fuchs	Quinn
Graves	Reed of Bowie
Hamilton	Rhodes
Hanna	Sewell
Hardin	Simpson
Harris of Archer	Stevenson
Herzik	Stinson
Jones of Atascosa	Stocks
Jones of Wise	Tarwater
Keefe	Tennant
Keith	Tennyson
Kelt	Walker
Kern	Weldon
King	Wood
Langdon	

Absent	
Bates	Palmer
Cauthorn	Prescott
Dean	Ragsdale
Hartzog	Ross
Hoskins	Shell
Knetsch	Vale

Absent—Excused	
Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

Question recurring on the amendment by Mr. Metcalfe, as substituted by amendment by Mr. Alsup, yeas and nays were demanded.

The amendment, as substituted, was adopted by the following vote:

Yeas—68	
Alexander	Kelt
Alsup	Kern
Amos	King
Beckworth	Langdon
Boethel	Lankford
Bond	Lanning
Bradbury	Loggins
Bridgers	London
Callan	Lucas
Cathey	Mauritz
Cleveland	McConnell
Davis of Jasper	Metcalfe
Davison of Fisher	Morris
Deglandon	Oliver
Derden	Patterson of Mills
England	Petsch
Farmer	Powell
Felty	Quinn
Fielden	Reed of Bowie
Fox	Rhodes
Fuchs	Roark
Gibson	Sewell
Graves	Sharpe
Hamilton	Shell
Hanna	Stevenson
Harbin	Stinson
Hardin	Stocks
Harris of Archer	Tarwater
Harris of Dickens	Tennant
Herzik	Tennyson
James	Waggoner
Jones of Atascosa	Walker
Jones of Wise	Weldon
Keefe	Wood

Nays—59	
Adkins	Bell
Baker	Blankenship

Bradford	McCracken
Burton	McDonald
Carssow	McFarland
Celaya	McKee
Davisson	McKinney
of Eastland	Moffett
Dean	Monkhouse
Dickison	Morse
Dollins	Newton
Hankamer	Nicholson
Harris of Dallas	Patterson
Hartzog	of Travis
Heflin	Pope
Holland	Reader
Howard	Reed of Dallas
Huddleston	Riddle
Hull	Rutta
Hyder	Schuenemann
Jackson	Settle
Johnson of Ellis	Simpson
Johnson	Skaggs
of Tarrant	Smith of Hopkins
Jones of Angelina	Smith
Jones of Falls	of Matagorda
Keith	Talbert
Kenyon	Thornberry
Leath	Vale
Little	Westbrook
Mann	Winfree
Mays	

Absent	
Bates	Palmer
Cauthorn	Prescott
Colquitt	Ragsdale
Hoskins	Ross
Knetsch	Russell
Leonard	

Absent—Excused	
Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

Mr. Alsup moved to reconsider the vote by which the amendment, as substituted, was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. McConnell offered the following amendment to the bill:

Amend House Bill No. 10, by inserting after Section 2 a new section to read, as follows:

"Sec. 2a. This provision shall not become effective until after the State is redistricted into judicial districts for district courts, into at least ten in number less than the present number of judicial districts for district courts."

On motion of Mr. Howard, the amendment was tabled.

Mr. Derden offered the following amendment to the bill:

Amend House Bill No. 10, by striking out Section 1 thereof, and substitute the following:

"Section 1. From and after the passage of this Act, the judges of the various District Courts and of the Criminal District Courts of this State in those Districts having a population of one hundred thousand or over shall each be paid an annual salary of Six Thousand (\$6,000.00) Dollars, and in those Districts having a population less than one hundred thousand they shall be paid an annual salary of Five Thousand (\$5,000.00) Dollars, payable in equal monthly installments."

(Pending consideration of the amendment by Mr. Derden, Mr. Gibson occupied the Chair temporarily.)

(Mr. Knetsch in the Chair.)

Mr. Alsup moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—125

Adkins	Fox
Alexander	Fuchs
Alsup	Gibson
Amos	Graves
Baker	Hamilton
Bates	Hankamer
Beckworth	Hanna
Bell	Harbin
Blankenship	Harris of Archer
Boethel	Harris of Dallas
Bond	Harris of Dickens
Bradbury	Hartzog
Bradford	Heflin
Bridgers	Herzik
Burton	Hoskins
Callan	Howard
Carssow	Huddleston
Cathey	Hull
Celaya	Hyder
Cleveland	Jackson
Colquitt	James
Davis of Jasper	Johnson of Ellis
Davison of Fisher	Jones of Angelina
Davison	Jones of Atascosa
of Eastland	Jones of Falls
Dean	Jones of Wise
Deglandon	Keefe
Dickison	Keith
Dollins	Kelt
England	Kenyon
Farmer	Kern
Felty	King
Fielden	Langdon

Lankford	Reed of Bowie
Lanning	Reed of Dallas
Leath	Rhodes
Leonard	Riddle
Little	Roark
Loggins	Ross
London	Russell
Lucas	Rutta
Mann	Schuenemann
Mays	Settle
McConnell	Sewell
McDonald	Sharpe
McFarland	Shell
McKee	Simpson
McKinney	Skaggs
Metcalfe	Smith of Hopkins
Moffett	Stevenson
Monkhouse	Stinson
Morris	Stocks
Morse	Talbert
Newton	Tarwater
Nicholson	Tennant
Oliver	Tennyson
Patterson of Mills	Thornberry
Patterson	Vale
of Travis	Waggoner
Petsch	Weldon
Powell	Westbrook
Prescott	Winfree
Quinn	Wood
Ragsdale	

Nays—4

Derden	Johnson
Hardin	of Tarrant
	McCracken

Present—Not Voting

Knetsch

Absent

Cauthorn	Reader
Holland	Smith
Mauritz	of Matagorda
Palmer	Walker
Pope	

Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

Mr. Kenyon moved the previous question on the amendments on the Speaker's desk and the passage of House Bill No. 10 to engrossment, and the motion was not seconded.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 10 was then passed to engrossment.

HOUSE BILL NO. 10 ON THIRD  
READING

Mr. Howard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—117

Adkins	Johnson of Ellis
Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Baker	Jones of Atascosa
Bates	Jones of Falls
Beckworth	Jones of Wise
Bell	Keefe
Blankenship	Keith
Boethel	Kenyon
Bond	Kern
Bradbury	King
Bradford	Langdon
Bridgers	Lankford
Burton	Lanning
Callan	Leath
Carssow	Leonard
Cathey	Little
Celaya	Loggins
Cleveland	Mann
Colquitt	Mauritz
Davis of Jasper	Mays
Davisson	McCracken
of Eastland	McDonald
Dean	McKee
Deglandon	McKinney
Derden	Moffett
Dickison	Monkhouse
Dollins	Morris
England	Morse
Farmer	Newton
Felty	Nicholson
Fielden	Oliver
Fox	Patterson
Fuchs	of Travis
Gibson	Petsch
Graves	Pope
Hamilton	Prescott
Hankamer	Quinn
Hanna	Reader
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Riddle
Heflin	Roark
Herzik	Ross
Holland	Russell
Hoskins	Rutta
Howard	Schuenemann
Huddleston	Settle
Hull	Sewell
Hyder	Sharpe
Jackson	Shell
James	Simpson

Skaggs	Tennyson
Smith of Hopkins	Thornberry
Stevenson	Vale
Stocks	Waggoner
Talbert	Westbrook
Tarwater	Winfree
Tennant	Wood

## Nays—11

Hardin	Metcalf
Harris of Archer	Powell
Kelt	Reed of Bowie
London	Stinson
Lucas	Weldon
McConnell	

## Absent

Cauthorn	Patterson of Mills
Davison of Fisher	Ragsdale
Harbin	Smith
Knetsch	of Matagorda
McFarland	Walker
Palmer	

## Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

The Chair then laid House Bill No. 10 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—116

Adkins	Dean
Alexander	Deglandon
Alsup	Derden
Amos	Dickison
Baker	Dollins
Bates	England
Beckworth	Farmer
Bell	Felty
Blankenship	Fielden
Boethel	Fox
Bond	Fuchs
Bradbury	Gibson
Bradford	Graves
Bridgers	Hamilton
Burton	Hankamer
Callan	Hanna
Carssow	Harbin
Cathey	Harris of Dallas
Celaya	Harris of Dickens
Cleveland	Heflin
Colquitt	Herzik
Davis of Jasper	Holland
Davisson	Hoskins
of Eastland	Howard

Huddleston	Patterson
Hull	of Travis
Hyder	Petsch
Jackson	Pope
James	Prescott
Johnson of Ellis	Quinn
Johnson	Ragsdale
of Tarrant	Reader
Jones of Angelina	Reed of Dallas
Jones of Atascosa	Rhodes
Jones of Falls	Riddle
Jones of Wise	Roark
Keefe	Ross
Keith	Russell
Kenyon	Rutta
Kern	Schuenemann
King	Settle
Langdon	Sewell
Lankford	Sharpe
Lanning	Shell
Leath	Simpson
Leonard	Skaggs
Little	Smith of Hopkins
Loggins	Stevenson
Mann	Stocks
Mays	Talbert
McCracken	Tarwater
McDonald	Tennant
McKee	Tennyson
McKinney	Thornberry
Moffett	Vale
Morris	Waggoner
Morse	Westbrook
Newton	Winfree
Nicholson	Wood
Oliver	

## Nays—12

Hardin	Metcalf
Harris of Archer	Monkhouse
Kelt	Powell
London	Reed of Bowie
Lucas	Stinson
McConnell	Weldon

## Absent

Cauthorn	Palmer
Davison of Fisher	Patterson of Mills
Hartzog	Smith
Knetsch	of Matagorda
Mauritz	Walker
McFarland	

## Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

REASONS FOR VOTE ON HOUSE  
BILL NO. 10

I vote against the bill raising the salaries of District Judges before the

Legislature has acted upon the re-districting bill; and for the further reason that I am opposed to increasing the State's obligations unless and until we adequately provide for our present and delinquent obligations.

STINSON.

I voted against House Bill No. 10, just as I have consistently voted against all salary raises and will continue to do so. In the first place, I think that the Judges of the various District Courts and of the Criminal Courts of this State are receiving ample compensation for their services and in the second place, even if they were not, if, as some people raise the cry, the State is not able to pay all those on the pension rolls, then it is not able to be forever paying higher salaries.

WELDON.

EXTENDING INVITATION TO  
MEMBERS OF THE HOUSE

The Chair laid before the House, and had read the following communication:

We wish to extend to the Members of the Legislature of Texas an invitation to be the guests of the Citizens of Waco at a banquet on Tuesday evening, March 23, honoring the Honorable James A. Farley.

Mr. Farley will be in Waco to dedicate the new Post Office Building and will come to Austin the following day to address a Joint Session of the Legislature.

RAGLIN JONES,  
JOHN DOLLINS,  
A. P. CAGLE,  
SENATOR W. R. NEWTON.

## MESSAGE FROM THE SENATE

Austin, Texas, February 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 188, A bill to be entitled "An Act validating and legalizing bonds issued by counties for the construction of roads within such counties and the levy of taxes for payment of such county bonds; authorizing the assessment and collection of general ad valorem taxes in all such counties for the payment of such county bonds now outstanding or hereafter issued, and declaring an emergency."

S. B. No. 219, A bill to be entitled "An Act creating a more efficient special road law for Van Zandt County, Texas, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

# HOUSE BILL NO. 232 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 232, A bill to be entitled "An Act closing the waters of Caranchua Bay in Calhoun and Jackson Counties to certain types of net fishing, and declaring an emergency."

The bill was read second time.

Mr. Hartzog offered the following committee amendment to the bill:

Amend House Bill No. 232, by inserting between the word "Counties" and the word "except" on line (4) of Section 1, the following: "except during the months of January, February and March".

Mr. Hartzog offered the following amendment to the amendment:

Amend committee amendment to House Bill No. 232, by adding before the period at the end of the same the following: "in that section of the bay in Calhoun County, Texas", and by adding at the end of Section 1 of said bill the following: "and provided that it shall be unlawful to drag, use or operate an oyster dredge in any of the waters of Caranchua Bay, Caranchua Pass or within a radius of three hundred yards from the mouth of said pass in the waters of Matagorda Bay". And by amending the caption to conform with the body of the bill.

The amendment to the amendment was adopted.

The amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 232 was then passed to engrossment.

# HOUSE BILL NO. 232 ON THIRD READING

Mr. Mauritz moved that the constitutional rule, requiring bills to be read

on three several days, be suspended, and that House Bill No. 232 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Adkins	Knetsch
Alexander	Langdon
Alsup	Lankford
Amos	Lanning
Baker	Leath
Bates	London
Beckworth	Lucas
Bell	Mann
Blankenship	Mauritz
Boethel	McConnell
Bond	McCracken
Bradbury	McDonald
Bridgers	McKee
Burton	McKinney
Callan	Moffett
Carsow	Monkhouse
Cathey	Morris
Celaya	Morse
Cleveland	Newton
Colquitt	Nicholson
Davis of Jasper	Oliver
Davisson	Patterson of Mills
of Eastland	Patterson
Dean	of Travis
Deglandon	Powell
Derden	Prescott
Dollins	Quinn
England	Ragsdale
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Fox	Roark
Fuchs	Ross
Gibson	Russell
Graves	Rutta
Hankamer	Schuenemann
Hanna	Settle
Harbin	Sewell
Hardin	Sharpe
Harris of Archer	Shell
Harris of Dallas	Simpson
Hartzog	Skaggs
Heflin	Stocks
Hoskins	Talbert
James	Tarwater
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Angelina	Vale
Jones of Atascosa	Waggoner
Jones of Falls	Walker
Keith	Weldon
Kelt	Westbrook
King	Wood

Absent

Bradford	Davison of Fisher
Cauthorn	Dickison

Hamilton	Loggins
Harris of Dickens	Mays
Herzik	McFarland
Holland	Metcalf
Howard	Palmer
Huddleston	Petsch
Hull	Pope
Hyder	Reader
Jackson	Riddle
Jones of Wise	Smith of Hopkins
Keefe	Smith
Kenyon	of Matagorda
Kern	Stevenson
Leonard	Stinson
Little	Winfree

## Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

The Chair then laid House Bill No. 232 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—112

Adkins	Fuchs
Alexander	Gibson
Alsup	Graves
Amos	Hamilton
Baker	Hankamer
Bates	Hanna
Beckworth	Harbin
Bell	Hardin
Blankenship	Harris of Archer
Boethel	Harris of Dallas
Bond	Harris of Dickens
Bradbury	Hartzog
Bridgers	Heflin
Burton	Hoskins
Callan	James
Carssow	Johnson of Ellis
Cathey	Johnson
Celaya	of Tarrant
Cleveland	Jones of Angelina
Colquitt	Jones of Atascosa
Davis of Jasper	Jones of Falls
Davisson	Jones of Wise
of Eastland	Keith
Dean	Kelt
Derden	King
Dickison	Knetsch
Dollins	Langdon
England	Lankford
Farmer	Lanning
Felty	Leath
Fielden	Loggins
Fox	London

Lucas	Rhodes
Mann	Roark
Mauritz	Ross
Mays	Russell
McConnell	Rutta
McCracken	Schuenemann
McDonald	Settle
McKee	Sewell
McKinney	Sharpe
Moffett	Shell
Monkhouse	Simpson
Morris	Skaggs
Morse	Stocks
Newton	Talbert
Nicholson	Tarwater
Oliver	Tennant
Patterson of Mills	Tennyson
Patterson	Thornberry
of Travis	Vale
Petsch	Waggoner
Pope	Walker
Powell	Weldon
Prescott	Westbrook
Quinn	Winfree
Ragsdale	Wood
Reed of Dallas	

## Absent

Bradford	Leonard
Cauthorn	Little
Davison of Fisher	McFarland
Deglandon	Metcalf
Herzik	Palmer
Holland	Reader
Howard	Reed of Bowie
Huddleston	Riddle
Hull	Smith of Hopkins
Hyder	Smith
Jackson	of Matagorda
Keefe	Stevenson
Kenyon	Stinson
Kern	

## Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Brown	Smith of Tarrant
Cagle	Thornton
Davis of Haskell	Worley
Harper	

## HOUSE BILL NO. 358 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 358, A bill to be entitled "An Act providing that it shall be unlawful to take any fish for sale from the waters of Lake Corpus Christi or from the waters of the Nueces River between La Fruta dam on the Nueces



River and the highway bridge over the Nueces River near George West; providing a closed season for fishing in said waters; prohibiting the use of certain devices for taking fish in said waters; providing a suitable penalty for any violation of this Act; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. Jones of Atascosa offered the following amendment to the bill:

Amend House Bill No. 358, by striking out all of Section No. 1 and inserting in lieu thereof the following:

"Section 1. It shall be unlawful for any person to take, for the purpose of sale, any fish from Lake Corpus Christi, formerly known as Lake Lovenskiold and situated in the Counties of San Patricio, Jim Wells and Live Oak. The provisions of this Act shall apply to all of that area of the Nueces River from the La Fruta dam across the Nueces River to the west boundary line of Live Oak County and shall include the waters within all the tributaries of the Nueces River within the boundaries of Live Oak County."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 358 was then passed to engrossment.

#### HOUSE BILL NO. 358 ON THIRD READING

Mr. Pope moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 358 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adkins	Burton
Alexander	Callan
Alsup	Carsow
Amos	Cathey
Baker	Cauthorn
Bates	Celaya
Beckworth	Cleveland
Bell	Colquitt
Blankenship	Davis of Jasper
Boethel	Davisson
Bond	of Eastland
Bradbury	Deglandon
Bridgers	Derden
Brown	Dollins

England	Monkhouse
Felty	Morris
Fielden	Morse
Fox	Nicholson
Fuchs	Oliver
Gibson	Patterson of Mills
Graves	Patterson
Hamilton	of Travis
Hanna	Pope
Harbin	Powell
Hardin	Prescott
Harris of Archer	Quinn
Harris of Dallas	Ragsdale
Hartzog	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Rhodes
Huddleston	Riddle
Hyder	Roark
James	Ross
Johnson of Ellis	Russell
Jones of Angelina	Rutta
Jones of Falls	Schuenemann
Jones of Wise	Settle
Keefe	Sewell
Kelt	Sharpe
King	Shell
Knetsch	Simpson
Langdon	Skaggs
Lanning	Stocks
Leath	Talbert
Loggins	Tarwater
London	Tennant
Lucas	Tennyson
Mann	Thornberry
Mauritz	Vale
McConnell	Waggoner
McCracken	Weldon
McDonald	Westbrook
McKee	Winfree
McKinney	Wood
Moffett	

Nays—1

Lankford

Absent

Bradford	Kern
Davison of Fisher	Leonard
Dean	Little
Dickison	Mays
Farmer	McFarland
Hankamer	Metcalfe
Harris of Dickens	Newton
Heflin	Palmer
Herzik	Petsch
Howard	Reader
Hull	Smith of Hopkins
Jackson	Smith
Johnson	of Matagorda
of Tarrant	Stevenson
Jones of Atascosa	Stinson
Keith	Walker
Kenyon	

## Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Cagle	Smith of Tarrant
Davis of Haskell	Thornton
Harper	Worley

The Chair then laid House Bill No. 358 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—108

Adkins	Jones of Angelina
Alexander	Jones of Atascosa
Alsup	Jones of Falls
Amos	Jones of Wise
Baker	Kelt
Bates	King
Beckworth	Knetsch
Bell	Langdon
Blankenship	Lanning
Boethel	Leath
Bond	Loggins
Bradbury	London
Bridgers	Lucas
Brown	Mann
Burton	Mauritz
Callan	McConnell
Carssow	McCracken
Cathey	McDonald
Cauthorn	McKee
Celaya	McKinney
Cleveland	Moffett
Colquitt	Monkhouse
Davis of Jasper	Morris
Davisson	Morse
of Eastland	Nicholson
Deglandon	Oliver
Derden	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
England	Petsch
Felty	Pope
Fielden	Powell
Fox	Prescott
Fuchs	Quinn
Gibson	Ragsdale
Graves	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Riddle
Harbin	Roark
Hardin	Russell
Harris of Archer	Rutta
Hartzog	Schuenemann
Heflin	Settle
Hoskins	Sewell
Huddleston	Sharpe
Hyder	Shell
James	Simpson
Johnson of Ellis	Skaggs

Stocks  
Talbert  
Tarwater  
Tennant  
Thornberry  
Vale

Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood

## Nays—1

Lankford

## Absent

Bradford	Kern
Davison of Fisher	Leonard
Dean	Little
Farmer	Mays
Harris of Dallas	McFarland
Harris of Dickens	Metcalfe
Herzik	Newton
Holland	Palmer
Howard	Reader
Hull	Ross
Jackson	Smith of Hopkins
Johnson	Smith
of Tarrant	of Matagorda
Keefe	Stevenson
Keith	Stinson
Kenyon	Tennyson

## Absent—Excused

Boyer	Harrell
Broadfoot	Leyendecker
Cagle	Smith of Tarrant
Davis of Haskell	Thornton
Harper	Worley

## SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 188, to the Committee on Highways and Motor Traffic.

Senate Bill No. 219, to the Committee on Highways and Motor Traffic.

## ADJOURNMENT

On motion of Mr. Newton, the House, at 12:15 o'clock, p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: House Bill No. 72.

Common Carriers: House Bill No. 347.

Criminal Jurisprudence: House Bills Nos. 164 and 372.

Education: House Bills Nos. 219 and 472.

Highways and Motor Traffic: House Bills Nos. 128 and 409.

Judiciary: House Bill No. 339.

Military Affairs: House Bill No. 321.

Revenue and Taxation: House Bills Nos. 6 and 52.

State Affairs: House Bill No. 53.

## TWENTIETH DAY

(Thursday, February 11, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Felty
Adkins	Fielden
Alexander	Fox
Alsup	Fuchs
Amos	Gibson
Baker	Hamilton
Bates	Hankamer
Beckworth	Hanna
Bell	Harbin
Blankenship	Hardin
Boethel	Harper
Bond	Harris of Archer
Boyer	Harris of Dallas
Bradbury	Harris of Dickens
Bradford	Hartzog
Bridgers	Heflin
Burton	Herzik
Cagle	Holland
Callan	Hoskins
Carssow	Howard
Cathey	Huddleston
Cauthorn	Hull
Celaya	Hyder
Cleveland	Jackson
Colquitt	James
Davis of Jasper	Johnson of Ellis
Davison of Fisher	Johnson
Davison	of Tarrant
of Eastland	Jones of Angelina
Dean	Jones of Atascosa
Deglandon	Jones of Falls
Derden	Jones of Wise
Dickison	Keefe
Dollins	Keith
England	Kelt
Farmer	Kenyon

Kern	Reader
King	Reed of Bowie
Knetsch	Reed of Dallas
Langdon	Rhodes
Lankford	Riddle
Lanning	Roark
Leath	Ross
Leyendecker	Russell
Little	Rutta
Loggins	Schuenemann
London	Settle
Lucas	Sewell
Mann	Sharpe
Mauritz	Shell
Mays	Simpson
McConnell	Skaggs
McCracken	Smith of Hopkins
McDonald	Smith
McKee	of Matagorda
McKinney	Smith of Tarrant
Metcalfe	Stevenson
Moffett	Stocks
Monkhouse	Talbert
Morris	Tarwater
Morse	Tennant
Newton	Tennyson
Nicholson	Thornberry
Oliver	Thornton
Palmer	Vale
Patterson of Mills	Waggoner
Patterson	Walker
of Travis	Weldon
Petsch	Westbrook
Pope	Winfree
Powell	Wood
Prescott	Worley
Ragsdale	

### Absent—Excused

Broadfoot	Leonard
Brown	McFarland
Davis of Haskell	Quinn
Graves	Stinson
Harrell	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Leonard for today, on motion of Mr. Morse.

Mr. Brown for today, on motion of Mr. McKee.

Mr. Broadfoot for today, on account of important committee work in regard to Texas-Oklahoma boundary, on motion of Mr. Carssow.

Mr. Graves for today, on motion of Mr. Petsch.